

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KIMBERLY JO FRANKS,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

Case No. 13-13073

Paul D. Borman
United States District Judge

Patricia T. Morris
United States Magistrate Judge

OPINION AND ORDER:

**(1) ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION (ECF No. 12);
(2) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (ECF No. 9);
AND (3) GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT (ECF No. 11)**

On July 31, 2014, Magistrate Judge Patricia T. Morris issued a Report and Recommendation addressing the outstanding motions in this action. (ECF No. 12). In the Report and Recommendation, the Magistrate Judge recommends that this Court deny Plaintiff's motion for summary judgment. (ECF No. 9). Further, the Magistrate Judge recommends that this Court grant Defendant's motion for summary judgment. (ECF No. 11).

Having thoroughly reviewed the Report and Recommendation, the parties' cross-motions for summary judgment and the record as a whole, and there being no timely objections from either party pursuant to 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court will adopt the Magistrate Judge's Report and Recommendation.

Therefore, the Court ADOPTS the Magistrate Judge's Report and Recommendation (ECF No. 12), GRANTS Defendant Commissioner's Motion for Summary Judgment (ECF No. 11), DENIES Plaintiff's Motion for Summary Judgment (ECF No. 9), and DISMISSES this action with PREJUDICE.

This Order closes this case.

IT IS SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: August 22, 2014

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 22, 2014.

s/Deborah Tofil
Case Manager